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March 31, 2006

**VIA ELECTRONIC FILING**

Honorable Jack B. Weinstein  
United States District Judge  
United States District Court  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: United States v. Joseph Agate, et al.  
Criminal Docket No. 08-076 (JBW)

Dear Judge Weinstein:

I am the attorney assigned to represent the defendant Nicholas B. Calvo in the above-referenced case. Please accept this letter as Mr. Calvo's reply to the Government's March 26, 2008 letter proposal for the division of the Agate defendants for purposes of trial.

It is Mr. Calvo's position that with respect to the division of the above-captioned Indictment for purposes of trial, Mr. Calvo has no objection to being placed in proposed Group F (defendants Agate, Calvo, Dauria, Delvescovo, King and Mosca) or to the proposed order of the trials (Group F to be tried after the trials of Groups A, B, C, D, and E).

I thank the Court for its time and consideration.

Respectfully submitted,

Emily R. Daniel, Esq.

cc: AUSA Joey Lipton